

# W5YI

National Volunteer Examiner Coordinator

## REPORT

Up to the minute news from the world of amateur radio, personal computing and emerging electronics. While no guarantee is made, information is from sources we believe to be reliable. May be reproduced providing credit is given to The W5YI Report.

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...and much, much more!*

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## Comments on §Part 97 Rules Rewrite Close

The comment period closed November 29th on *PR Docket 88-139*, officially termed the "**Reorganization and Deregulation of Part 97 of the Rules Governing the Amateur Radio Service.**" It seeks to update and reorganize the Amateur Radio Service rules "because advances in technology and operating practices have made the current operating rules difficult to apply to modern communications practices." The original comment closing date was set at October 31, 1988, but extended at the League's request.

### HOW ARE THE NEW RULES DIFFERENT?

The new Part 97 rewrite organizes the Amateur Radio Service Rules into six subparts and four appendices. The present §Part 97 goes back to the era when AM phone and hand-keyed telegraphy were the major modes. Since that period, the FCC has adopted many new regulations to accommodate the many changes in Amateur operations and technology.

The result over the years has been a patchwork of rules that is often confusing to prospective licensees. Even though the primary objective was to modernize existing Amateur Radio Service regulations, there were several new "wrinkles" that were added, revised or clarified.

### THE PROPOSED REWRITE CONTAINS...

#### **Support A: General Provisions**

Contains those rules concerned principally

with license and station location requirements.

#### **Subpart B: Fundamental Purposes of the Amateur Service**

Organizes the rules into the five (§Part 97.1) *Basis and Purpose* of the Amateur Radio Service

- (a.) Serving the public
- (b.) Advancing the Radio Art
- (c.) Advancing Skills
- (d.) Training Operators
- (e.) International Goodwill

#### **Subpart C: Station Operating Standards**

Is comprised of those standards that generally apply to all types of amateur station operation.

#### **Subpart D: Special Operations**

Contains the requirements that apply only to nonstandard operations such as beacons and repeaters, auxiliary operation, remote control of amateur stations and model craft, the *Amateur-Satellite Service* (AMSAT) and the *Radio Amateur Civil Emergency Service* (RACES).

#### **Subpart E: Technical Standards**

Contains the remaining technical standards.

#### **Subpart F: Qualifying Examination Systems**

Contains the requirements for the preparation, administration and coordination of amateur radio operator examinations. (Novice and VE/VEC testing programs.)

**Appendix 1:** lists the geographic areas where the

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Amateur Service is regulated by the Commission.

**Appendix 2:** lists the volunteer-examiner coordinator (VEC) regions

**Appendix 3:** is a glossary of terms used in the proposed rules.

**Appendix 4:** is a summary of the frequency sharing requirements for the Amateur Radio Services.

Even though the new §Part 97 essentially was an categorized restatement of existing *Amateur Radio Service Rules*, there were some new points. There were fresh statements about operating amateur radio aboard aircraft and ships, imposition of quiet hours to prevent harmful interference, new emission designators, amateur frequency sharing, waivers to retransmit space shuttle communications, color ID of ATV stations, on-the-air swap nets, broadcast related activities during emergencies, paperless examination sessions, amending code test procedures to require knowledge but not necessarily testing on all characters ...and so on. There certainly was plenty for the Amateur community to comment on!

## WHAT DID THE COMMENTS SAY?

Historically, the meatiest comments are submitted just before comment closing dates. This proceeding was no different. Two interesting comments discussed the gray area which lies between professional and non-professional use of ham radio

Ruth Kastner, Executive Director of the **American Zionist Youth Foundation** (AZYF), objected to the proposed Part 97.107 "Serving the Public" rule wording which prohibits logistical communications support for events such as parades. AZYF sponsors the Salute to Israel Parade held annually in New York City.

She says the Foundation "depends on amateur radio to coordinate the efforts of 200 marching groups coordinating the efforts of 75,000 marchers, 80 marching bands, 75 parade marshals and a variety of vehicles."

Kastner also argues that amateur radio helped avoid chaos during a bomb scare in 1986 and "the New York City Police Department has come to rely upon the amateur radio operators as

an interface between the parade and their supervisors." She says the budget does not permit replacing the existing radio network with a comparable commercial system.

§Part 97.107 allows communications support for public gatherings where the main beneficiary is the public. "An amateur station may not be used for logistical support for any sponsoring organization." There seems to be a fine line between public service and communications support which may require further definition.

## COMMENTS FROM "THE MEDIA"

The *Radio-Television News Directors Association* (RTNDA), *American Society of Newspaper Editors* (ASNA) and the *National Association of Broadcasters* (NAB) combined to submit their views on the Part 97 rewrite. Their comments, which ran to 23 typewritten pages, were authored by three very high powered Washington law firms. They also represented the views of CBS, Capital Cities/ABC, NBC, National Public Radio, Post-Newsweek Stations, Inc, "Reporters Committee for Freedom of the Press" and Turner Broadcasting System, Inc.!

It can be said that these comments (which undoubtedly cost thousands of dollars to prepare) cover every organization involved in getting the news to the public fast!

The RTNDA is a professional journalism organization of more than 2,500 TV, radio, and cable news directors and supervisors. NAB's membership includes over 5,000 radio stations, 907 television stations and all major commercial networks. The American Society of Newspaper Editors is a professional organization of more than 1,000 directing editors of daily newspapers throughout the United States. All clearly opposed the Commission's position on the use of amateur radio operators to assist the media during times of crisis.

Their comments filed during the final comment period week had some very profound things to say. They addressed the "**Prohibited transmissions**" section in Subpart "C" which maintains that no amateur station;

(a.) shall transmit communications that are normally transmitted by other authorized radio services;

(b.) may engage in broadcasting direct to

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the public or an intermediary;

(c.) participate in any activity related to news program production or newsgathering;

(d.) or disseminate news information direct to the public;

...unless four conditions are present.

(1.) The information is critical to immediate protection of life and/or property.

(2.) The news information is directly related to the event.

(3.) The event is unforeseen; and

(4.) The news information cannot be transmitted by any other means other than an amateur station.

The media mentions that the §Part 97 rewrite proceeding is their first opportunity to address the broadcasting/amateur radio issue since the Commission declined to accept the proposal of the RTNDA and other parties on the broader emergency use of ham operators for journalistic purposes.

The media points out that the four-prong standard unnecessarily restricts amateur operators who wish to volunteer to cooperate with professional print and electronic journalists in disseminating information about important news events when no other voice communications are available to the journalists. "...the proposed language is much too exacting and will inhibit amateur operators from performing much needed roles in news dissemination during natural disasters and other emergencies," they argue.

The comments also maintain that the *immediate-safety limitation* is neither needed or desirable. "There are other types of important spot news events for the coverage of which journalists may not be able to obtain other communications services, such as the aftermath of a plane crash in a remote area when there is no longer any threat to life or property."

Another significant quote...

"There never has been a question about the use of 'hams' to transmit messages to individual members of the public in disaster situations ...yet there has been a continuing question about the use of those same amateur operators for dissemination of information to an even larger public by professional journalists who are unable to use telephones or their own transmitting equipment to reach their

broadcast/cable networks ...stations ...newspapers and magazines."

The combined media appealed to the FCC to change Section §97.219(f) to read;

"No amateur station shall transmit communications to convey news information for dissemination to the public unless the following conditions are met:

(1.) The information is directly related to an important news event; and

(2.) The information cannot be transmitted by any means other than an amateur station because normal voice communication systems have been disrupted or because there is no other voice communication system available at the place where the information is originated.

The media comments said "at a minimum, the Commission should interpret its four-part test *liberally* - not *literally*."

## RESTRICTING FREEDOM OF SPEECH

"The Supreme Court has acknowledged that news gathering qualifies for *First Amendment* protection, since 'without some protection for seeking out news, freedom of the press could be eviscerated.' ...Journalists should be allowed to utilize amateur radio operators' services if this is the only effective way vital news events can be thoroughly reported. ...While most news media are profit-making entities, this does not detract from their mission of bringing news and public affairs programming to the public."

Maintaining that the Commission's position on the use of ham operators to assist news correspondents is illegal they conclude "...denial of broader permission to amateur operators to convey journalistic information is an arbitrary and capricious infringement of the *First Amendment* rights of the amateur operators, the news media and the public. The Commission should adopt the broader rule of emergency proposed in these comments or, at the very least, modify its four-part test to permit a more liberal interpretation of the elements of that standard, including the element pertaining to the safety of human life and property."

## QCWA ON THE §PART 97 REWRITE...

The Quarter Century Wireless Association praised the Commission for its efforts to reorganize

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and deregulate §Part 97 of the rules governing the Amateur Radio Service. They said they understood "the *American Radio Relay League* was doing a thorough analysis of the complete text of this proposed rule making and QCWA feels that they are well qualified to do this."

QCWA, however, did express concern about §Section 97.221, ...only eleven words long: "The FCC may restrict operations as necessary to prevent harmful interference." It was QCWA's impression that meant restricted operation could be imposed without regard to whether the Amateur Radio operator is causing the interference or not.

"The proposed new rule eliminates the requirement that the Commission consider the fact that the interference observed might be totally the result of defective, inadequate, or improperly maintained equipment in use by the service complaining of interference," QCWA said. "The proposed rule as written, has no limitations and relieves the Commission of responsibility for making a factual determination of the cause of the problem observed."

"The proposed rule does not define the term interference; it does not establish fact-finding procedures; it does not specify procedures for determination of the source of interference, or that such determination be made; it does not specify determination of responsibility for corrective action or the financial responsibility for such action as may be determined necessary; it does not acknowledge the rights of the *Amateur Radio Service* licensees or that such rights would be recognized by the Commission."

"If the *Federal Communications Commission* feels that it must have the power to restrict Amateur Radio licensees operations as an "administrative convenience", it is respectfully suggested that ...the Commission accept the responsibility for investigation, on a case basis, of all complaints. That a fact findings be made and published promptly, listing the cause of observed interference and that responsibility for corrective action be clearly defined."

QCWA added that RFI corrective action on the part of the *Amateur Radio Service* certainly is impressive when compared to the corrective action undertaken by consumer product suppliers in general.

The Quarter Century Wireless Association

has approximately 10,000 current members. Membership in QCWA requires that a person be licensed in the *Amateur Radio Service* at least 25 years and at the time of applying for membership.

## LEAGUE REWRITES §PART 97 TO "§96"

The *American Radio Relay League* (ARRL) filed comments with the FCC on November 29th in response to the FCC's proposed reorganization of the Amateur Radio rules, *PR Docket No. 88-139*. Attached to the League's comments, prepared by Counsel **Christopher D. Imlay/N3AKD**, was a complete rewrite of the rules developed by a committee of the ARRL Board of Directors. For the purposes of clarity, the ARRL termed their rewrite as Part 96.

The League's version was developed over a seven-month period of intensive study by an ARRL working group consisting of Vice President **George Wilson/W4OYI** and Directors **Steve Mendelsohn/WA2DHF**, **Marshall Quiat/AG0X** and **Rod Stafford/KB6ZV**, with detailed support from the ARRL headquarters staff.

In addition, the committee digested countless comments of individual League members. "The final document represents the interests of the broadest majority of amateurs while protecting the needs of minorities with special interests." It was reviewed and approved by the ARRL Board of Directors by mail vote. For the most part, the ARRL accepted the Commission's suggested rules. In a few instances, the League's analysis revealed that the Amateur Service was better served by the existing or new rule sections than by the Commission's proposed substitute.

The Committee noted that many of the comments filed early by individual radio operators expressed opposition to certain provisions of the FCC's proposed wording. A common thread in these comments was that the rules should allow for "due process of law" rather than FCC administrative sanctions taken without judicial hearings. The ARRL rewrite took these comments into account and strengthened "due-process" provisions of the rules.

As one might anticipate, the ARRL opted not to go along with the Commission's 11-word §97.221 *Restricted Operation*. "Under no circumstances can the Amateur Radio Service tolerate the proposed

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elimination of the procedural protections for amateurs in Section §97.131 of the current rules, as suggested in Section §97.221 of the Notice proposal. This is undoubtedly the most severe and inappropriate of the Notice proposals. It represents an effort to legitimize the presently illegal *Field Operations Bureau* policy of imposing operating restrictions on amateurs in RFI situations without the hearing mandated in Section §316 of the Communications Act and despite feelings of no technical fault on the amateur's part."

"The notice proposal, which gives the FOB the authority to impose whatever restrictions it wishes, is completely unacceptable and violative of due process of law. ...it is most discouraging that in the discussion of this proceeding in news releases and in the text of the Notice, the Commission made no mention of the radical changes proposed in this section specifically. It is hoped that the proposal to deprive the Amateur Service of its procedural entitlement in this respect was not deliberately concealed or minimized."

The League proposed to leave intact the present §Part 97.131 (renumbered to §96.221) which specifies:

"(a.) If the operation of an amateur station causes general interference to the reception of transmissions from stations operating in the domestic broadcast service when receivers of good engineering design, including adequate selectivity characteristics, are used to receive such transmissions and this fact is made known to the amateur station licensee, the amateur station shall not be operated during the hours from 8:00 p.m. to 1:30 p.m., local time, and on Sunday from the additional time period from 10:30 a.m. until 1:00 p.m., local time, upon the frequency or frequencies used when the interference is created."

The ARRL then added two new paragraphs:

"(b.) If the amateur station is operating in accordance with good amateur practice and in compliance with the rules of this Part, no operating restrictions shall be imposed by the FCC (except to protect the safety of life or immediate protection of property). The amateur, however, may be required to assist in the resolution of the interference complaint."

"(c.) If an amateur station is found, after investigation by the FCC Field Office, not to be operating in accordance with good amateur practice, or

not in compliance with the rules of this Part, and to be the cause of repeated interference and where the station licensee has been notified in writing to a finding of fault following such inspection, the FCC may modify the station license temporarily so as to minimize the interference. No such order of modification shall become effective (except as necessary to protect the safety of human life or the immediate protection of property) until the station licensee has been notified in writing of the proposed action and grounds or reasons therefor, and afforded a hearing pursuant to §316 of the *Communications Act*."

The ARRL, however, generally commended the FCC on its work to reorganize, modernize and clarify §Part 97 of the Commissions's rules. The FCC had succeeded in reducing the length of the present rules from 30,073 words to 24,397. The League's rewrite further reduced the length to 17,045 words without eliminating necessary substance by further editing, and retained the basic structure of the rules as proposed by the FCC.

To obtain a copy of the League's comments and rewrite of the rules, please send a 9"x12" SASE with \$1.25 postage to: **ARRL HQ, 225 Main Street, Newington, CT 06111**. [We have reviewed the ARRL's proposed rewrite and it is extremely well done indeed! We suggest you send for a copy.]

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• We received a note (dated 27 November) from **YASME DXer's Lloyd & Iris Colvin (W6KG/W6QL)** concerning their operation from the **British Base Area, Cyprus**. "Dear Friends. We have just finished our operation as ZC4ZR. We made 7,500 QSL's with radio amateurs in 117 countries. As usual, we operated on all bands, both CW and SSB. We were in the *CQ World-Wide CW Contest* and made QSO's on 1.8, 3.5 and 7 MHz. as well as 14, 21 and 28. We were extremely lucky to receive permission to operate in ZC4 land. Many radio amateurs from the USA and other countries have tried to obtain ZC4 licenses with no success. ZC4 licenses are given normally to British Military Personnel located in Cyprus. Alan/ZC4AB and his wife, Diane, permitted us to sleep in their quarters while we actually operated from the Radio Club located in the British Episcopi Garrison using our own radio equipment. During the month we operated at ZC4ZR and W6KG/5B4 on Cyprus, the value of the U.S. dollar declined by 5% which directly resulted in increasing our cost of living! Look for us from another rare spot soon. 73 es 88 Lloyd & Iris."

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## OCTOBER VE PROGRAM STATISTICS

<u>October</u> <u>No. VEC's</u>	<u>1986</u> <u>*75</u>	<u>1987</u> <u>*59</u>	<u>1988</u> <u>*62</u>
<b>Testing Sessions</b>	<b>388</b>	<b>349</b>	<b>465</b>
<u>VEC</u> <u>1986</u> <u>1987</u> <u>1988</u>			
ARRL      57.0%	38.1%	44.1%	
W5YI      18.6	31.2	33.3	
CAVEC      7.2	6.9	5.6	
DeVry      7.2	5.2	5.2	
Others      10.0	18.6	11.8	
<b>Year-to-Date Sess:</b>	<b>3148</b>	<b>3577</b>	<b>4054</b>

<b>Elements Administ.</b>	<b>5167</b>	<b>5858</b>	<b>6758</b>
<u>VEC</u> <u>1986</u> <u>1987</u> <u>1988</u>			
ARRL      58.6%	49.3%	52.6%	
W5YI      12.3	24.0	27.5	
CAVEC      7.3	5.7	4.9	
DeVry      6.3	4.2	3.6	
Others      15.5	16.8	11.4	
<b>Year-to-Date Elem.</b>	<b>53178</b>	<b>67132</b>	<b>75946</b>

<b>Applicants Tested</b>	<b>3522</b>	<b>3418</b>	<b>4155</b>
<u>VEC</u> <u>1986</u> <u>1987</u> <u>1988</u>			
ARRL      57.8%	47.9%	52.5%	
W5YI      13.7	24.3	27.6	
CAVEC      6.4	5.7	4.5	
DeVry      6.7	4.2	4.2	
Others      15.4	17.9	11.2	
<b>Year-to-Date Tested</b>	<b>36496</b>	<b>41645</b>	<b>45490</b>

<b>October</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>
Pass Rate - All	58.2%	58.9%	59.6%
Pass Rate - W5YI	52.4%	57.0%	51.8%
Applicants/Session	9.1	9.8	8.9
Appl./Session W5YI	7.2	8.3	7.3
Elements/Applicant	1.5	1.7	1.6
Sessions Per VEC	5.2	5.9	7.5

### Administrative Errors by VE's/VEC's

<b>October</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>
Defect. Applications	1.2%	1.7%	0.6%
Late Filed Sessions	4.1%	1.4%	0.7%
Defective Reports	0.3%	9.7%	1.1%

### \*Note:

The FCC Considers ARRL, W5YI and DeVry to be 13 VEC's each since VEC's are appointed on a regional basis. The 13 regions are: Call Sign districts 1 through 0 plus Alaska (11), Caribbean (12) and Pacific Insular areas (13).

Source: Pers.Rad.Branch/FCC; Washington, D.C.

## What comes after FM?

### DIGITAL RADIO BROADCASTING

Mobile radio, TV stations and cellular telephone companies aren't the only ones hoping for more spectrum. The *National Public Radio* (NPR) network is cautioning the FCC to avoid taking any actions that will preclude FM broadcasters from getting more spectrum, particularly from bands outside the existing broadcast allocations.

NPR provides programming service to 360 public radio stations across the country, most of them owned by universities and educational foundations. In latest comments to the FCC's Advanced Television (ATV) docket, NPR said, "Just as the ATV technologies have increased spectrum requirements, so too will the advanced audio technologies require transmission bandwidths wider than those presently allocated to FM broadcasters..."

"It does not seem likely that advanced radio systems incorporating digital techniques will be feasible using existing AM or FM bandwidths. In addition, downward compatibility (continued use of existing radio receivers to receive analog signals) for advanced radio systems would be impossible. Therefore, new spectrum will almost certainly be required. At the same time, the additional spectrum requirements will not be enormous. For example, given existing and foreseen technologies, a digital stereo signal could consume as little as 250 to 500 kHz."

NPR described a completely digitally processed FM stereo broadcast system which uses a "number controlled modulated oscillator" (NCMO) approach to direct digital synthesis. "The research and development that has gone into this technology represents an investment in the next dimension of radio that should be accommodated by the Commission by preserving spectrum at this time," the network said.

Does this signal the possibility of another ham band attack? The 220-225 MHz amateur band does not exist outside of our hemisphere. In all other parts of the world (ITU Region 1 and 3), the 174-230 MHz band is ITU allocated to *Broadcasting* on a primary basis. Two years ago, we reported on a group of US broadcasters who petitioned the Commission to establish a so-called "FM2 Band" - a second FM broadcasting band - with spectrum to be reallocated from the 1.25 cm ham band!

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## Amateurs to broadcast nationwide ROSE PARADE ATV BY SATELLITE!

For the first time, public service Amateur Television (ATV) coverage of the (1989) Pasadena (Ca) Tournament of Roses Parade will be available to hams throughout the western world.

In an effort to promote increased use of amateur fast-scan television to improve public service communications, the behind-the-scenes video coverage provided to the Tournament by southern California ATVers will be simultaneously uplinked over the Hughes Galaxy 2 communications satellite parked at 74 degrees west. The ATV Video will be on Transponder 5.

The idea to uplink the nationwide ATV video came from **Dave Steinfeld, WA6ZVE**, who works for Hughes. He was able to get some unused satellite time for a small amount through his company. It was just something novel he wanted to do that was unique and different for ATVers and the backyard dish public to see. The video is live and will be exactly as is put out by the portable repeaters built by **Ernie Williams, WB6BAP**, to receivers at the *Tournament of Roses* command center, parade starting line, and law enforcement personnel.

Inputs on 70 cm (the frequency isn't being published to minimize the problems with the "lunatics") from at least six portable and fixed ATV stations along the parade route will go out on 1265.0 MHz and 10.28 GHz to their respective communications centers. The two meter audio used to direct video transmissions will also be repeated on the satellite sound subcarrier.

Anyone with a working TVRO (Television Receive Only satellite system) should be capable of receiving good quality pictures from the bird, from most anywhere in the western hemisphere. This will be the 100th anniversary of the *Tournament of Roses Parade*, and the 11th year for ATV participation. Amateurs with a backyard dish are urged to record and edit it down for later showing to their local ATV groups.

The schedule for amateur radio related video events will include an introductory videotape starting at 8 AM PDT (11PM EDT). Live parade coverage will begin at 8:15 AM PDT (11:15 AM EDT). This years parade takes place on MONDAY, JANUARY 2, 1989!! It will *not* be held on Sunday, Jan. 1,

New Years Day. About 35 ATVers will be operating fixed, mobile and portable stations along the five mile route. **Tom O'Hara, W6ORG**, will be ATV Air Mobile in his Enstrom Helicopter to give a birds-eye view of any incident that amateurs, parade directors or law-enforcement need to see in addition to the video from the ground-based units.

Hams in southern California can also see the parade ATV video through the K6KMN/R - Mt. Wilson ATV repeater outputting on 1241.25 MHz. This repeater is located about 10 miles north of Colorado Blvd. - Pasadena and is at an altitude of 6000 feet.

It appears that, as the rules currently stand, any broadcaster can legally lift the ATV video off of G2 -- providing that they take it as an incidental feed and not inform the amateurs of its use -- and not endeavor to recruit specific video through direct request to the hams. It will be interesting to see if any commercial broadcaster taps into the ham feed to get a different "human interest" slant on the Rose Parade.

## FCC "HAM" RULEMAKING ACTIVITY

We received an inquiry from **Jim Bennett/KM4P** of Huntsville, Alabama, regarding the status of the FCC proceeding which looks toward privatizing the issuance of requested amateur radio call signs. The Commission has proposed in PRB-3 to create a "**Special Call Sign Coordinator**" (SCSC) who would issue specific ham call signs to amateurs on a secondary basis. The SCSC would also be responsible for developing a cross reference system which would permit the FCC to identify an amateur's primary call sign for enforcement purposes. We phoned the FCC last week and asked about it.

"It's still pending," **Johnny Johnston/W3BE**, Chief of the Personal Radio Branch told us. "I am not aware of any action coming fairly soon. The staff completed their work on the matter quite a while ago ...so it is up to the higher level decision makers to decide what they want to do."

While I had Johnny on the phone, I asked him about other Amateur Radio issues. "David Miller wants to do the 'lifetime licensing' thing again ...he petitioned for that. Lawrence Macionski wants to require that you be retested if you are cited for a violation. John M. Keegan wants to change code

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speeds ...he wants 5, 12, 16 and 20 WPM. We also got the **Gus Howard/W5KM** petition suggesting a sixth "education" *Basis and Purpose* of the Amateur Radio Service."

"**Bradley Wells/KR7L** (Port Orchard, WA) wants to move the 80-meter Novice band down by 25 kHz to escape the Canadian phone operation. This was accepted for comment (RM-6594). A petition by **Nicholas W. Sayer/N6QQQ** (Stockton, CA) also has been accepted for comment. (RM 6559). That's to authorize Technicians F1B emission (RTTY, AMTOR and packet radio) privileges in the 80, 40 and 15 meter bands. (Section 97.61[2] specifically prohibits Novice and Technician operators from using these emissions.) We also got a request to resume licensing CB. A rulemaking number (RM-6595) has been assigned to the UPS petition that suggests a band plan for 220-222 MHz."

Johnston also said he had received a report on the meeting between **Ralph Haller/N4RH** (Chief, FCC Private Radio Bureau) and Ray Kowalski, attorney representing a coalition of amateurs, publishers and industry seeking to realign the amateur service. That meeting was requested by myself (W5YI).

## MEETING BETWEEN FCC & RAY KOWALSKI

A formal meeting was conducted between the FCC's Private Radio Bureau and Raymond A. Kowalski, attorney from the Washington, D.C. firm of *Blooston and Mordkofsky*. Previous to joining the communications law firm, Kowalski headed up the FCC division which governed the U.S. Amateur Radio Service.

He has been retained to look into the possibility of a potential entry level Amateur Radio restructuring that will bring the service more in accord with current operating interests and technology. The meeting was held on Friday, December 2, 1988. Kowalski filed the following report on the subject matter of his discussion with Haller.

### The Objective:

Growth of the Amateur Radio Service as the number one priority for the next decade.

### The Premise:

That the population of Amateur Radio licensees has not grown significantly, despite such measures as convenience of examination opportunities

and voice privileges for entry level licensees.

### Argument:

That unless the Amateur Radio Service attracts new licensees from all walks of life, but especially the young, the Service will shrivel to a mere remnant of its present scope in the face of continuing pressure for spectrum from all sides.

### The Evidence:

General Docket 87-14, the loss of operating privileges in 2 MHz of the 220-225 MHz band.

### Proposal:

To amend Part 97 of the Commission's rules to create an operator license structure, modeled after that which has been developed in Canada, which is more in tune with modern use of manufactured equipment to transmit an unlimited variety of telecommunication modes. [See W5YI Report 11/1/88 p.6]

### Constraints:

That no presently licensed US amateur should lose operating privileges and that new licensees should be integrated into the mainstream, to preserve courtesy and good operating practices.

### Observation:

The present license structure is exactly the reverse of what it should be: instead of drawing in vast numbers of technically inclined enthusiasts and letting them follow their interests to those aspects of Amateur Radio that most attract them, the Service forces prospective licensees through the tiniest of filters and only then offers them the vast opportunities to be found in the Service.

### Payoff:

A rekindling of interest in technical education and careers as well as personal fulfillment in Amateur Radio.

Ray Kowalski will also be making a presentation along the same lines before the ARRL Board of Directors meeting to be held on January 20, 1989, in Hartford, Connecticut.

## LETTERS: BOY, DO WE GET LETTERS!

We wrote an editorial in our last newsletter entitled "We have seen the enemy, and it is us." It dealt with the current status of ham radio in the United States and the need for a reorientation of our

AMECO LICENSE PREPARATION MANUALS - Contain all Amateur Radio Exam questions, multiple choice, correct answer identified, and explanation why answer is correct. Technician/General Novice Amateur Radio Course - Complete with 2 cassette Morse code and extra text in a binder. Try it - you will know how to become a Novice amateur radio operator or to teach an

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hobby to youth and education. It also discussed my inquiry to Ray Kowalski regarding the need for amateur radio expansion ...and his response.

A support group, the **National Amateur Radio Association**, has been formed to promote amateur radio in general and an entry level VHF amateur license which would require a written examination, but without a telegraphy requirement. Exactly how this might be structured has not been determined, but the Canadian "modular" concept would be a guide.

Canada plans to have two telegraphy (5 and 12 wpm) and two written examinations (basic and advanced.) We don't envision any change in the General through Extra Class, but the Novice and Technician could easily become a Basic HF and Basic VHF class - both entry level. Applicants would hold both entry levels prior to upgrading to the General class.

We asked for your views on the undertaking. "Could you support a no-code license - and under what conditions?" During the past week we have received many telephone calls, electronic mail and regular letters and they are still pouring in. We will share them with you.

**(Tony Sivo/W2FJ, Plainsboro, NJ)** "I wish to congratulate you on your recent issue of the W5YI Report. For myself, the Report places, in the proper present-day perspective, the waning role of CW. Your lead article, 'Morse Code Signs Off at Sea' is the hand writing on the wall and should call attention to our fellow radio amateurs that changes will have to be made in our regulations. CW will no longer be the cornerstone of amateur radio. ...Don't get me wrong, I operate CW every day and can do so at a speed of 35-40 wpm. ...I don't consider myself to be anti-anything -- I am just pro Amateur Radio. It is my firm belief that the low level of growth amongst our ranks is due, in the main, to the fact that the ARRL has its feet buried in the 'CW concrete.' ...I want to thank you for a most interesting issue of the W5YI Report and only wish that you had the circulation of QST, Ham Radio and 73 Magazines combined to get your message across. I think that you have been most democratic and fair in presenting both sides of an issue."

**(Jerry N. Ventre/AA6EN, Diamond Bar, CA)** "I have wrestled with the No-Code licensing question for a very long time. After much soul-searching, I simply can not support a no-code Amateur license structure above 30 MHz unless the privileges are restricted to 440 MHz and above and power is limited to 10 watts. ...Is your stated goal to achieve Amateur Radio growth equal to

that of the 1970's realistic, lowering the average age of hamdom to 30? No, I cannot support a no-code Amateur license class unless it has severely restricted privileges. Hell, stick 'em on 1296 MHz. They'll never get out of their back yards...."

**(Ward Trammell/WA5NRT, Colcord, OK)** "I will be glad to contribute to the chance to get our youth back into ham radio. I recently had the privilege of making a ham radio presentation to the kindergarten class at Northside Elementary School of Siloam Springs, AR 72761." [Check enclosed]

**(Pamela C. Follansbee/WM7R, Pasco, WA)** "I am returning my VE card because I can't support a VEC that advocates the abolishing or easing the requirements for Morse code testing as a condition for the issuance of an Amateur Radio operator's license. Furthermore, I feel the formation of a new Amateur Radio organization will be a divisive influence at a time when the Amateur Radio community needs to be united to combat those who would further erode operating frequencies and privileges."

**(Fowler E. Strang/KR3R, Zieglerville, PA)** "Yes, my enclosed check affirms my 'no-code' support. I offer no conditions. Code is the 'great excluder' of new hams. The o-- f--- are ruining ham radio. Thank God they're old. Get on with no-code."

**(Dick Ehrhorn/W4ETO, Canon City, CO)** "...wanted to compliment you on your reasoned, rational approach to the ham growth/no code issue. I'm your age and have been licensed since 1947. Your discussion helped move me the remaining distance to support no-code above 30-MHz."

**(Bob Elliot/NE1R, N. Scituate, RI)** "No-Code, No-Good! Bring back licensing to F.C.C. Stop VE's from easy testing! [On QSL card]

**(Steve Godwin/KD6ZZ, Tucson, AZ)** "I have read and re-read, even studied, your article in the December 1st edition of the W5YI Report 'I Have Seen the Enemy, and it is Us.' The information you presented has provoked more thought on my part than any article I have read in a number of years. ...It so happens that 220 is my favorite band and I have been very upset by its reallocation -- particularly by the manner in which the reallocation was handled by the Commission. The future of the band has been clouded for many years and I don't think the loss came as a surprise to anyone. When a no-code license was proposed several years ago, I was totally opposed to the idea. I think my opposition was due to several things -- selfishness and fear of the unknown. I had to learn Morse code to get a license and had to pass the code test at the FCC office under the watchful eye of the examiner. Why should newcomers

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interest in nor am an employee of any company or entity engaged in  
preparation materials. My age is at least 18 years old."

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not have to go through the same 'hazing?' I felt that any type of no-code license would immediately convert the hobby into a free-for-all CB type environment - complete with the foul language, disregard for the rules and downright unacceptable on-the-air behavior. I have been asked many times if I am a CB operator and each time I have felt highly insulted.

I do not want to see the hobby go the way of the passenger pigeon and I feel that now is the time for some kind of far reaching action to rejuvenate the hobby. I am in complete agreement with Mr. Kowalski's comments that the CW point of view is so ingrained in the League that it is powerless to digress from it. I do not feel that the League can be depended upon to support any kind of no-code license.

If the Amateur Service was just now coming into being - how would it be licensed? Good question. I doubt very much if Morse code would be a requirement at all and if it was it would probably only be required for those seeking Extra Class licenses. There are those who thought that Novice Enhancement would produce the miracle that would result in a surge of interest in the hobby. The fact is to date this has not proven this to be the case. I think my personal feeling at this point in time is will a no-code license prevent the demise of the hobby. If it will, then I am for it. It's a little bit like the doctor telling you that you have a choice of having a limb amputated ...or dying."

"I don't think that the ARRL can or will support a no-code proposal nor will the vast majority of its members who are, for the most part, old timers who are opposed to change. The ARRL may be a formidable foe in such a proposal. The idea of NARA is certainly good and I wish it every success."

**(Raymond F. Blosser/W4RAY, Highland Beach, FL)** "I happen to favor continuation of the code as a licensing requirement. I am as familiar with the arguments on this as you are, and I am no apostle or afficianado of the ARRL; in fact, I have refused to take QST since that organization's advocacy of deceptive licensing, which required a helluva lot of work in order to stand still."

**(Anthony Musera/K3UKW, Philadelphia, PA)** "After reading your proposed purpose of the NARA organization, I believe that it has merit ...but approaching young people is somewhat narrow. Why not approach many organizations that have plenty of members and see what the outcome might be? A promotional program must be arranged to contact and work with large groups ...i.e. AARP with 25 million members, American Association of Disabled Veterans, Boy/Girl Scouts of America..." [Check attached]

**(Larry D. Shaunce/WOAKX, Hollandale, MN)**

"I couldn't agree more with your thoughts on a no-code requirement! I believe that if the code requirement is kept on an entry class level, we will very slowly watch the death of ham radio in the U.S. and also lose out to other countries on technological breakthroughs. Being 25 years old and a ham since 1977, I used to be totally against a no-code entry level license. I finally came to my senses and realized that if we want to continue this fine hobby we must make changes and keep up with technology. Please keep up the good work and let's get a no-code entry class passed. I know many people in my area that would make excellent operators ...the code is their only stumbling block." [Check attached]

**(Mick McDaniel/W6FGE, San Diego, CA)**

"I am one of those 'long licensed' radio amateurs you refer to in your 1 Dec. issue. Far from being opposed to ham radio expansion, I am doing all I can to encourage expansion via Novice level instruction and examinations. No classes, ...one-on-one. I consider the Novice licence to be the equivalent of an auto driver's learning permit. I help the student's get their licenses and then say, 'Go to it!' The only way they will learn to 'ham' is over the air. Whatever you and Don Stoner are doing sounds good to me! I can support a No-code license! CW is the slowest method of data transfer used today."

**(G. M. Howard/W5KM, Dallas, TX)**

"All politics is highly aware of our situation with respect to our educational system. I suggest we spend our present efforts in getting the Amateur Radio Service recognized as a national educational tool. Once that is accomplished, then we can show that the code is acting as a screen to limit our educational activity. We need to get in a position where the Congress will say to the commercials, 'We can't let you have those frequencies; we use them to train our people to compete with the rest of the world as scientists. Besides, Mr. Commercial Interest, we are saving you money. We are training and motivating scientists and inventors with public training facilities. Otherwise you will have to educate these people at the plant as you do now.'"

["Gus" Howard, an 84 year old communications attorney and engineer, also sent me an original QSL card from a spark contact he made as 5KK with 5YI, Rice Institute, Houston, Texas. The QSO date on the penny postcard was January 29, 1922.]

**(Joseph E. Hurd/KM4BN, Shelby, N.C.)**

"I support the fundamentals of NARA. However, I am not anti-ARRL. I like and applaud the ARRL, [but] I dislike and disapprove of what is actually being done. Their actions do not support the amateurs unless their purpose is to maintain the things the way they are. I support NARA because it appears they are actually going to do something. Somebody needs to get the job done!"

**HAVE A MERRY CHRISTMAS, See you all in two weeks! 73/Fred/W5YI**